

STATE OF CALIFORNIA
California Energy Commission

Minutes of the November 30, 2011 Energy Commission Business Meeting

The meeting was called to order at 10:07 by Chair Robert B. Weisenmiller. The Pledge of Allegiance was lead by Chair Weisenmiller.

Present:

Robert B. Weisenmiller
James D. Boyd, Vice Chair

Karen Douglas, Commissioner
Carla Peterman, Commissioner

1. CONSENT CALENDAR. (Items on the Consent Calendar will be taken up and voted on as a group. A commissioner may request that an item be moved and discussed later in the meeting.)
 - a. CITY OF MENLO PARK. Possible approval of the City of Menlo Park's locally adopted building energy standards to require greater energy efficiency than the *2008 Building Energy Efficiency Standards*. Contact: Joe Loyer.
 - b. ELECTRIC POWER RESEARCH INSTITUTE, INC. Possible approval of Amendment 3 to Contract 500-05-030 with Electric Power Research Institute, Inc. for a no-cost time extension of 12 months ending December 15, 2012, to continue work for WESTCARB Phase III. This project will test the geologic carbon dioxide storage potential of the deep saline formations of the Colorado Plateau, an area of significant interest because it is home to large coal-fired power plants that supply a significant portion of California's electricity. (This contract is 100% federally funded.) Contact: Bryan Lee.
 - c. ASPEN ENVIRONMENTAL GROUP. Possible approval of Amendment 3 to Contract 700-08-001 with Aspen Environmental Group to add federal contract terms associated with accepting the Bureau of Land management funding to support the Desert Renewable Energy Conservation Plan vegetation mapping and the joint Environmental Impact Report and Environmental Impact Statement. Contact: Joseph Merrill.
 - d. INTER-CON SECURITY SYSTEMS, INC. Possible approval of Amendment 8 to Contract 200-07-004 with Inter-Con Security Systems, Inc. to extend the term from January 1, 2012 to June 30, 2012, and add \$110,000 to the contract for unarmed security guards at the Energy Commission. The amendment is necessary due to ongoing negotiations for the Master Service Agreement with the California Highway Patrol. (ERPA funding.) Contact: Emily Oren.

Item 1d was postponed to the December 14 agenda.

- e. COUNTY OF TEHAMA. Possible approval of Amendment 1 to Agreement CBG-09-034 with the County of Tehama to reallocate the budget, revise the scope of work, and reduce the total grant by \$66,928 to a new total of \$165,998. This amendment does not change the grant term end date. (ARRA funding.) Contact: Miki Crowell.

- f. CITY OF SAN JUAN BAUTISTA. Possible approval of Amendment 1 to Agreement CBG-09-075 with the City of San Juan Bautista for a no-cost time extension from December 31, 2011 to June 14, 2012, to allow time to complete the city's streetlight replacement project. There is no other change to the agreement. (ARRA funding.) Contact: Miki Crowell.
- g. CITY OF BELMONT. Possible approval of Amendment 1 to Agreement CBG-09-059 with the City of Belmont to extend the term from February 25, 2012 to June 14, 2012. The city requested the extension due to staffing shortages and a longer than anticipated study of the merits of LED lighting versus. induction lighting for the project. (ARRA funding.) Contact: Barry McLeod.
- h. CITY OF LOS ALAMITOS. Possible approval of Amendment 1 to Agreement CBG-09-071 with the City of Los Alamitos to revise the scope of work, reallocate the budget, and extend the term of the agreement from November 30, 2011 to June 14, 2012. The HVAC component of the project is being removed due to high cost; the project will now consist entirely of lighting retrofits. As a result of this change, the total grant amount is reduced from \$63,720 to \$22,683. (ARRA funding.) Contact: Cheng Moua.
- i. CITY OF MENIFEE. Possible approval of Amendment 2 to Agreement CBG-09-132 with the City of Menifee to add \$49,152 for a total grant amount of \$367,328; revise the scope of work for the purchase and installation of LED streetlights, traffic signal lamps, and internally illuminated street name signs; and extend the term to June 14, 2012. (ARRA funding.) Contact: Akasha Kaur Khalsa.
- j. CITY OF FAIRFIELD. Possible approval of Amendment 1 to Agreement 008-09-ECE-ARRA with the City of Fairfield to reduce the loan from \$3 million to \$2.5 million and extend the term from December 30, 2011 to March 31, 2012. This amendment does not change the scope of work. The city will install induction streetlights citywide, replacing high pressure sodium lamps, resulting in an estimated \$241,000 in annual energy cost savings and a simple payback of 10.4 years. In addition to loan funds, the city will utilize an estimated \$99,000 incentive from Pacific Gas and Electric Company. (ARRA funding.) Contact: Elizabeth Shirakh.
- k. PIERS. Possible approval of Purchase Order 11-445.03-011 for \$21,224 to renew the Energy Commission's subscription to PIERS for one year beginning January 2012. PIERS provides detailed monthly fuel products import and export data for California ports that is used in Energy Commission reports and to address information requests from other agencies. (ERPA funding.) Contact: Cam Nguyen.
- l. PORTVISION. Possible approval of Purchase Order 11-445.03-012 for \$20,000 to renew the Energy Commission's subscription to PortVision Advantage Service for one year beginning January 2012. PortVision is a web-based service that provides marine vessel tracking and historical data. Energy Commission staff will use PortVision to monitor tanker movements in real time, drill down for detailed information about tanker arrivals and departures, and to support demurrage analysis, market research, and incident response. (ARRA funding.) Contact: Cam Nguyen.
- m. ADMINISTRATIVE SUBPOENA. Possible approval of modifications to an existing administrative subpoena directing the California Independent System

Operator (CA ISO) to provide data needed to evaluate generation and transmission outages, congestion, must-offer waivers, and load, to assist Energy Commission staff in assessing electric system adequacy. Contact: Caryn Holmes.

Chair Weisenmiller announced his intention to recuse himself from consideration of Item 1c. Vice Chair Boyd moved and Commissioner Douglas seconded approval of the Consent Calendar with the exception of Items 1c and 1d. The vote was unanimous. (4-0)

Chair Weisenmiller the left the room. Commissioner Peterman moved and Commissioner Douglas seconded approval of Item 1c. The vote was 3-0-1, Chair Weisenmiller having recused himself.

Following the vote Chair Weisenmiller returned to the dais.

2. ENERGY COMMISSION COMMITTEE APPOINTMENTS. Possible approval of appointments to the Energy Commission's Standing Committees and Siting Case Committees. Contact: Kevin Barker. (5 minutes)

No action was taken on Item 2.

3. CALICO SOLAR PROJECT COMPLAINT AND INVESTIGATION (11-CAI-01). Possible adoption of the assigned committee's proposed decision on BNSF Railway Company's Verified Complaint to Revoke Certification and Patrick C. Jackson's related request for investigation. Contact: Kourtney Vaccaro. (15 minutes.)

Commissioner Douglas moved and Vice Chair Boyd seconded adoption of the committee decision with changes read into the record today. The vote was unanimous. (4-0)

4. COMPLAINT AGAINST ORMAT NEVADA, INC. BROUGHT BY CALIFORNIA UNIONS FOR RELIABLE ENERGY (11-CAI-02). Possible adoption of the assigned Committee's recommended denial of CURE's complaint and request for investigation alleging that the North Brawley Geothermal Project and the East Brawley Geothermal Project had jointly and severally violated section 25500 of the Warren-Alquist Act by failing to apply for and obtain certification from the California Energy Commission prior to operation. Contact: Ken Celli. (10 minutes)

Commissioner Douglas moved and Vice Chair Boyd seconded adoption of the proposed decision of November 8, 2011 and errata. The vote was unanimous. (4-0)

5. SYCAMORE COGENERATION PROJECT (84-AFC-6C). Possible approval of a petition to amend the Sycamore Cogeneration Project to allow operation of all four combustion gas turbine units in an extended start-up period to conduct tuning of the units following removal and replacement of combustion hardware. Contact: Mary Dyas. (10 minutes)

Commissioner Douglas moved and Vice Chair Boyd seconded approval of the petition. The vote was unanimous. (4-0)

6. KERN RIVER COGENERATION PROJECT (82-AFC-2C). Possible approval of a petition to amend the Kern River Cogeneration Company to allow operation of all four combustion gas turbine units in an extended start-up period to conduct tuning of the units

following removal and replacement of combustion hardware. Contact: Mary Dyas. (10 minutes)

Commissioner Douglas moved and Vice Chair Boyd seconded approval of the petition. The vote was unanimous. (4-0)

7. PORTLAND ENERGY CONSERVATION, INC. (PECI). Possible approval of Amendment 2 to Contract 400-09-014 with Portland Energy Conservation, Inc. for a no-cost shift of funding between tasks within the Energy Smart Jobs (ESJ) program budget. The ESJ program has exceeded its performance expectations, and has expended all incentive funds ahead of schedule. This has resulted in a \$650,000 surplus in the administrative portion of the budget, which can be shifted to fund additional energy efficiency projects. (ARRA funding.) Contact: Gabriel D. Taylor. (5 minutes)

Commissioner Douglas moved and Vice Chair Boyd seconded approval of the amendment. The vote was unanimous. (4-0)

8. CRHMFA HOMEBUYERS FUND. Possible approval of Amendment 2 to Contract 400-09-016 with CRHMFA Homebuyers Fund for authorization to augment up to \$5 million. Funds would be added to the Moderate Income Sustainable Technology (MIST) program, contingent upon program performance and availability of American Recovery and Reinvestment (ARRA) funds. The MIST program provides grants and low interest loans to moderate income homeowners for energy efficiency and renewable energy retrofits. (ARRA funding.) Contact: Adrian Ownby. (10 minutes)

Commissioner Douglas moved and Commissioner Peterman seconded approval of the amendment. The vote was unanimous. (4-0)

9. SACRAMENTO MUNICIPAL UTILITY DISTRICT. Possible approval of Agreement PIR-11-002 for a grant of \$227,000 to Sacramento Municipal Utility District to demonstrate a one megawatt advanced zinc bromine flow battery energy storage system for utility grid applications and validate the potential penetration of the system. This award will be cost-share for the recipient's \$2.46 million American Recovery and Reinvestment Act of 2009 award as a key partner with Premium Power Corporation for a total of \$5.15 million. (PIER electricity funding.) Contact: Avtar Bining. (5 minutes)

Vice Chair Boyd moved and Commissioner Peterman seconded approval of the grant. The vote was unanimous. (4-0)

10. NEGATIVE DECLARATION FOR REGULATIONS INCLUDING ENERGY EFFICIENCY STANDARDS FOR BATTERY CHARGER SYSTEMS AND SELF-CONTAINED LIGHTING CONTROLS. Possible adoption of the proposed Negative Declaration, including a Finding of No Significant Impact under the California Environmental Quality Act (CEQA) for the proposed appliance regulations, including energy efficiency standards for battery charger systems and self-contained lighting controls. This adoption hearing follows the mandatory 30-day comment period for the Negative Declaration, as required by CEQA. Contact: Ken Rider. (5 minutes)
11. ENERGY EFFICIENCY STANDARDS FOR BATTERY CHARGER SYSTEMS AND SELF-CONTAINED LIGHTING CONTROLS. Possible adoption of proposed amendments to the Appliance Efficiency Regulations in Title 20 of the California Code

of Regulations relating to energy efficiency standards and other requirements for battery charger systems and self-contained lighting controls. This adoption hearing follows the mandatory 45-day comment period for the regulations, as required by the Administrative Procedure Act. Contact: Ken Rider. (30 minutes) Items 10 and 11 have been postponed to a later agenda.

12. **RIDGECREST SOLAR POWER PROJECT (09-AFC-09).** The Commission will hold a closed session pursuant to Section 11126(c)(3) of the Government Code, to deliberate on the decision to be made in response to Applicant's Motion for Order Affirming Application of Jurisdictional Waiver pursuant to Section 25502.3 of the Public Resources Code. No action will be taken by the Commission on this date. Contact: Renee Webster-Hawkins. (30 minutes).

13. **Minutes.**

- a. Possible approval of the October 5, 2011, Business Meeting Minutes.

Vice chair Boyd moved and Commissioner Douglas seconded approval of the

- b. Possible approval of the November 16, 2011, Business Meeting Minutes.

14. **Lead Commissioner or Presiding Member Reports.**

Vice Chair Boyd reported on recent automotive industry events in Los Angeles.

Chair Weisenmiller reported on his meeting with Assistant Secretary of the Navy Jackalyne Pfannenstiel in San Diego.

Commissioner Peterman reported on her tour of renewable energy facilities at U.S. Marine bases in San Diego.

15. **Chief Counsel's Report:** None.

16. **Executive Director's Report.** Executive Director Robert P. Oglesby gave the report.

17. **Public Adviser's Report.** Public Advisor Jennifer Jennings gave the report.

18. **Public Comment:**

Ms. Nina Beety (by telephone)

Mr. Patrick Splitt, ApTech

Mr. Bob Davis

Appearances:

Mr. Barry Wallerstein, South Coast Air Quality Management District

Ms. Ella Foley Gannon, Bingham McCutcheon, LLP for Calico Solar LLC

Ms. Elizabeth Klaben Adams Broadwell Joseph & Cardozo for California Unions for Reliable Energy

Ms. Charlene Wardlow, Ormat

Mr. Duane Knickerbocker, Brower Mechanical, Inc.

Mr. Rick Wylie, Beutler Corp.

Mr. John Orr, North State Building Industry Association

Mr. Michael Day, Rockwood Consulting

Mr. Mark Lowder, CHF

Mr. Mark Fischer, Green Home Solutions
Mr. Mark Stout, Apollo Energies Inc.
Mr. Ryan Connally, Cosumnes River College
Mr. Jason Hanson, Sierra Pacific Home and Comfort
Ms. Terri Carpenter, SETA
Ms. Linnzi Cannon, Advanced Comfort Energy Systems
Ms. Brennan Jensen, Ecology Action (by telephone)
Mr. Mark Brewer (by telephone)

There being no further business, the meeting was adjourned at 12:45 p.m.

Respectfully submitted,

HARRIET KALLEMEYN
Secretary to the Commission